



NEWS RELEASE

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FOR IMMEDIATE RELEASE

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U.S. FISH AND WILDLIFE SERVICE AND THE NATIONAL MARINE FISHERIES SERVICE PROPOSE DESIGNATION OF CRITICAL HABITAT FOR THE GULF STURGEON

The U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NOAA Fisheries), (collectively "the Services") today proposed to designate critical habitat for the Gulf sturgeon (*Acipenser oxyrinchus desotoi*) along portions of rivers, estuaries, and marine coastline in Florida, Alabama, Mississippi and Louisiana.

"This proposed critical habitat designation will provide non-regulatory benefits to the Gulf sturgeon by informing the public of areas that are important to the species recovery and identifying where conservation actions would be most effective," said Sam D. Hamilton, Southeast Regional Director, FWS.

The Services are making this proposal in response to an order by the U.S. District Court for the Eastern District Court of Louisiana to submit for publication a proposed critical habitat determination by May 23, 2002, and a final critical habitat determination by February 28, 2003.

The Services are proposing portions of the following Gulf of Mexico rivers and tributaries as critical habitat for the Gulf sturgeon: Pearl and Bogue Chitto Rivers in Louisiana and Mississippi; Pascagoula, Leaf, Bowie (also referred to as Bouie), Big Black Creek and Chickasawhay Rivers in Mississippi; Escambia, Conecuh, and Sepulga Rivers in Alabama and Florida; Yellow, Blackwater, and Shoal Rivers in Alabama and Florida; Choctawhatchee and Pea Rivers in Florida and Alabama; Apalachicola and Brothers Rivers in Florida; and Suwannee and Withlacoochee River in Florida.

The proposal also includes portions of the following estuarine and marine areas: Lake Pontchartrain (east of the Lake Pontchartrain Causeway), Lake Catherine, Little Lake, The Rigolets, Lake Borgne, Pascagoula Bay and Mississippi Sound systems in Louisiana and Mississippi,

and sections of the adjacent state waters within the Gulf of Mexico; Pensacola Bay system in Florida; Santa Rosa Sound in Florida; nearshore Gulf of Mexico in Florida; Choctawhatchee Bay system in Florida; Apalachicola Bay system in Florida; and Suwannee Sound and adjacent state waters within the Gulf of Mexico in Florida. These geographic areas encompass approximately 1,580 river miles and 2,333 square miles of estuarine and marine habitat.

The Gulf sturgeon has been protected under the Endangered Species Act since it was listed in 1991. Therefore, the impacts of Federal actions on this species have been considered as required by the law. Since Gulf sturgeon currently occupy all areas that have been proposed as critical habitat, this designation should already take into account current activities and the measures necessary to minimize these impacts.

"This critical habitat designation incorporates both historic and recent data to best describe areas occupied and utilized by the Gulf sturgeon. We continue to work with the latest information and just incorporated a May 2002 sighting into the proposed rule" said Georgia Cranmore, Assistant Regional Administrator for Protected Resources, NOAA Fisheries Southeast Region.

Four public hearings will be held on this proposal. The Services will hold informational meetings before each public hearing at the hearing location. The public information sessions will start at 5:00 p.m. and end at 6:30 p.m. The formal public hearings will start at 7:00 p.m. and end at 9:00 p.m. at the following addresses on the dates indicated:

- August 19, 2002, Suwannee River Water Management District, 9225 C.R. 49, Live Oak, Florida 32060.
- August 20, 2002, City of Defuniak Springs, 71 U.S. Highway 90 West, Chautauqua Building, Museum Room, Defuniak Springs, Florida 32433.
- August 21, 2002, J. L. Scott Marine Education Center and Aquarium, 115 Beach Boulevard, Biloxi, Mississippi 39530.
- August 22, 2002, Hilton New Orleans Airport, 901 Airline Drive, Kenner, Louisiana 70062.

As a listed species under the Endangered Species Act, the Gulf sturgeon is already protected wherever it occurs and Federal agencies are required to consult on any action they take that might affect the species. The designation of critical habitat will help the species by ensuring federal agencies and the public alike are aware of the habitat needs of this species and that proper consultation is conducted by Federal agencies when required by law.

Critical habitat is a term used in the Endangered Species Act of 1973 that refers to specific geographic areas that are essential for the conservation of a threatened or endangered species and that may require special management and protection. A critical habitat designation does not establish a preserve or refuge nor does it affect individual citizens, organizations, states, local governments, or other non-federal entities that do not require federal permits or funding. Critical habitat does not include existing developed sites within the proposed units such as dams, piers, marinas, bridges, boat ramps, exposed oil and gas pipelines, oil rigs and similar structures, or designated public swimming areas. Most activities such as recreational boating, canoeing, swimming, most fish and shellfish harvesting (e.g., oystering, scalloping), and commercial boat traffic are unlikely to involve a federal action that may affect critical habitat and, therefore, would not be expected to trigger a consultation requirement.

When determining areas to designate as critical habitat, the Services consider physical and biological habitat features that are essential to the conservation of the species. These features include space for individual and population growth and for normal behavior; cover or shelter; food, water, air, light, minerals, or other nutritional or physiological requirements; sites for spawning and rearing offspring; and habitats that are protected from disturbances or are representative of the historic geographical and ecological distributions of a species.

As part of designating critical habitat, the Services also take into account the economic impact, as well as any other relevant impacts, of specifying any particular area as critical habitat. The Services may exclude any area from critical habitat if it is determined that the benefits of excluding it outweigh the benefits of specifying the area as a part of critical habitat, unless it is determined that the failure to designate the area as critical habitat will result in the extinction of the species. The Services will publish an announcement in the Federal Register to notify the public when the draft economic analysis is available for review and comment.

A complete description of the proposed critical habitat designation has been published in the Federal Register today. Copies of the proposal and maps are available by contacting Patty Kelly, U.S. Fish and Wildlife Service, 1601 Balboa Avenue, Panama City, Florida 32405 (telephone 850/769-0552, extension 228; facsimile 850/763-2177); or Stephania Bolden, NOAA Fisheries, at 9721 Executive Center Drive North, St. Petersburg, Florida 33702-2449, (telephone 727/570-5312; facsimile 727/570-5517). Information about the Gulf sturgeon also can be found on the Internet at <http://alabama.fws.gov/gs/>.

The Services will accept written comments from the public until September 23, 2002. Written comments on the Gulf sturgeon proposal should be submitted to the Panama City Field Office, addressed to Patty Kelly, FWS, at the above address. Written comments can be delivered to the Panama City Field Office at the above address. Comments may also be faxed to 850/763-2177, or sent by electronic mail (e-mail) to gulfsturgeon@fws.gov.

The U.S. Fish and Wildlife Service is the principal federal agency responsible for conserving, protecting and enhancing fish, wildlife, plants, and their habitats for the continuing benefit of the American people. The Service manages the 95-million-acre National Wildlife Refuge System which encompasses more than 540 national wildlife refuges, thousands of small wetlands, and other special management areas. It also operates 70 national fish hatcheries, 64 fishery resource offices, and 78 ecological services field stations. The agency enforces federal wildlife laws, administers the Endangered Species Act, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands, and helps foreign governments with their conservation efforts. It also oversees the Federal Aid program that distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to state fish and wildlife agencies. Visit the Service's website at <http://www.fws.gov>.

The National Marine Fisheries Service (NOAA Fisheries) is the principal steward of the nation's living marineresources, protecting marine and anadromous species under the Endangered Species Act and the Marine Mammal Protection Act. NOAA Fisheries develops and implements conservation and recovery plans and works to prevent species from becoming threatened or endangered. NOAA Fisheries also regulates the nation's commercial and recreational fisheries and manages species under the Magnuson-Stevens Fishery Conservation and Management Act throughout federal waters that extend 200 miles from the U.S. coastline. Using the tools provided by the Magnuson-Stevens Act, NOAA Fisheries assesses and predicts the status of fish stocks, ensures compliance with fisheries regulations, and works to reduce wasteful fishing practices. NOAA Fisheries is an agency of the Commerce Department's National Oceanic and Atmospheric Administration. NOAA warns of dangerous weather, charts our seas and skies, guides our use and protection of ocean and coastal resources, and conducts research to improve our understanding and stewardship of the environment which sustains us. To learn more about NOAA Fisheries, please visit <http://www.nmfs.noaa.gov>.

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